

MINUTES OF HAMILTON COUNTY COUNCIL, NOVEMBER 3, 2004

GENERALIZED SUMMARY

REGULAR MEETING

Councilor Belden called to order the regular meeting of the Hamilton County Council at 7:01:46 p.m. Those in attendance were Councilors, Jim Wallace, Steve Schwartz, John Hiatt, Jim Belden, Meredith Carter, Rick McKinney and Judy Levine. Auditor, Robin Mills and Chief Deputy Auditor, Dawn Coverdale, and Major Mark Bowen. A quorum was declared.

Invocation and Pledge of Allegiance were led by Councilor Levine.

[7:04:37] Councilor Hiatt moved to approve minutes of October 13, 2004. Councilor Schwartz seconded motion.

Councilor McKinney written statement: I have reviewed the video tape and found two procedural errors in the actions recorded of the written minutes. First, my "YES" vote at the end of the meeting was cast NOT for doing away with the taping and broadcasting but simply for a resolution to re-look at the TV situation next year. I did not hear the original motion clearly and asked another member to repeat it and voted accordingly ONLY for a re-look in 2005, same as the entire Council voted on August 25. The second error, which renders the above resolution's passage NULL AND VOID, was that the Council did NOT vote to add this item to the agenda for discussion and consideration before it so rapidly voted on it. Just as we voted earlier in the meeting to remove an item from the agenda, we have established precedent in place to follow and this resolution clearly was NOT handled in the right manner and therefore is not effective. As a result, these comments should be added to the end of the October 13 minutes and since a premature cancellation letter was sent to Mr. Espey, a new letter needs to be sent to Mr. Espey informing him that the taping should resume at our December meeting.

Councilor Hiatt- I withdraw my motion, if my second will?

Councilor Schwartz- I second

Councilor Levine moved to approve the minutes of October 13, 2004. Councilor Hiatt seconded motion. Motion carried (4-1-2) with Councilor McKinney against and Councilors Belden and Wallace abstaining.

PUBLIC COMMENTS 7:21:00

Ms. Gail King of 14740 Scarborough Lane, Noblesville representing Citizens for Better Neighborhoods a citizens group active in building & improving better neighborhoods in the Hamilton County area in ways to enhance the economic needs of community while protecting natural resources.

- Humane Society of Hamilton County's inability to euthanize mortally wounded animals who are suffering and injured wild life
- Citizens lack of access to televised meetings of elected officials

COMMITTEE / OFFICER REPORT 7:28:00

President: Councilor Belden thanked everyone for their support during his absence the past few weeks.

Vice President: Councilor Hiatt reported work on the EMS situation is progressing and a work session has been scheduled for December meeting to discuss particulars.

Finance: No meeting

Highway: No meeting

Personnel: Councilor Levine reported committee met and Items will be discussed later on agenda

Miscellaneous: Councilor McKinney requested television situation be addressed again. Councilor McKinney- I'd like to get closure, it was wrong the way it was handled last meeting and I'd like to have Mr. Culp give that ruling on that so in December the meeting can be taped as usual and in January as usual. We can have a committee and look at it but we shouldn't be dark.

Councilor McKinney made a motion to rescind the action, which he believed was incorrect to begin with procedurally, the resolution for eliminating taping. Councilor Wallace seconded motion. Motioned failed (1-6). Judy Levine- no, Rick McKinney- yes, Meredith Carter- no, Jim Belden- no, John Hiatt-no, Steve Schwartz-no, Jim Wallace- no. Motion fails (1-6).

[End CD 7:48:30]

Commissioner Report [7:49:30]

Commissioner Altman reported

- Congratulated successful candidates.
- Commissioner Altman wished to clarify Ms. Kings concerns on Humane Society contract stating she didn't believe the Humane Society was contractually bound, at least from County's aspect, to euthanize animals other than unwanted animals that are unadoptable. Believe's wild animals would fall under the Department of Natural Resources but will look into the matter further.
- Stated a preliminary set of revised plans for the animal control facility are available. Commissioners did meet with Humane Society Board Members and low cost spay/neuter who has requested to have some space in the new facility to provide services.
- Believes a contract is close to being reached with the Humane Society.
- Prosecutor & Planning move is progressing. Commissioners have relooked at the design in the Law Library and believe if a couple additional walls and a door are added two conference areas can be facilitated for mediation as needed.

Councilor Levine asked about status of Law Books. Commissioner Altman stated books are being transferred to Noblesville Public Library. Books and series that aren't not being updated will be used as dividers for the new offices in the Law Library.

Councilor Levine also asked about draft of discovery request. Commissioner Altman hasn't seen that document yet.

UNFINISHED/TABLED BUSINESS None

NEW BUSINESS

Additional, Transfers and Amend Form 144

7:53:44 Councilor Levine moved to approve Assessor 144 Amendment for 2005 in line item 101.001.000.1006 \$28,308. Councilor Schwartz seconded motion. Motion carried (7-0).

7:54:19 Councilor Hiatt moved to approve Auditor additional request of \$837 in 101.003.000.3601 postage. Councilor Wallace seconded motion. Motion carried (7-0).

7:54:39 Councilor Levine moved to approve Circuit Court transfer of \$1,500 from 101.007.000.3721 Investigative Services to 101.007.000.4012 Law Books. Councilor Hiatt seconded motion. Motion carried (7-0).

7:55:08 Councilor Levine moved to approve Clerk reduction of \$2,000 101.023.000.1006 Primary Election Workers and additional request of \$2,000 in 101.051.000.1300 voter part time. Councilor Hiatt seconded motion. Motion carried (7-0).

7:56:08 Councilor Schwartz moved to approve Clerk additional of \$7,000 in 101.023.000.1407 overtime. Councilor Levine seconded motion. Motion carried (7-0).

7:57:19 Councilor Levine moved to approve Voter additional request of \$6,000 in 101.051.000.1407 Overtime. Councilor Schwartz seconded motion. Motion carried (7-0).

7:57:34 Councilor Levine moved to approve Voter 144 Amendment adding 1004 Deputy Registrar at \$27,453 for 2004 and 2005 and additional request of \$3,051 to fund position. Councilor Schwartz seconded motion.

Councilor Levine amended her motion to approve the additional of \$3,051 and 144 Amendment for 2004 and table the 2005 144 amendment until December meeting. Councilor Schwartz seconded amended motion. Motion carried (7-0).

Mr. Culp will review statute prior to the December meeting.

8:03:57 Councilor Hiatt moved to approve Jail additional request of \$7,500 in 101.027.000.2020 Institutional; \$24,000 in 101.027.000.3302 Electric; \$14,000 in 101.027.000.3304 Water & Sewage, Sheriff additional request of \$50,000 in 101.037.000.2010 Fuel and Juvenile Detention additional request of \$95,500 to supplement County General. Councilor Schwartz seconded motion. Motion carried (7-0).

8:05:09 Councilor Carter moved to approve Sheriff 144 Amendment of \$44,715 in 101.037.000.1072 Evidence, Crime Scene. Councilor Wallace seconded motion. Motion carried (7-0).

8:06:11 Councilor Levine moved to approve Surveyor additional request of \$3,136 in 101.044.000.1300 Part time. Councilor McKinney seconded motion. Motion carried (7-0).

8:07:36 Councilor Schwartz moved to approve Parks transfers of \$12,211.85 in 106.000.000.1015 Crew Leader, \$20,630.52 in 106.000.000.1017 Mktg Assistant and \$5,000 in 106.000.000.1305 Lifeguards to 106.000.000.1302 Laborer. Councilor Wallace seconded motion. Motion carried (7-0).

8:07:50 Councilor Levine moved to approve Highway Coit transfer of \$50,000 from 283.000.000.3723 Contractual to 283.000.000.4014 Bituminous. Councilor Schwartz seconded motion. Motion carried (7-0).

ANNOUNCEMENTS / COMMENTS

8:08:30 Councilor Levine reported

- She and Ralph Watson are promoting United Way in Hamilton County
- Money collected in Hamilton County is distributed by Solutions Council to Hamilton County agencies.
- Packets will be going out to employees and Councilor Levine distributed pledge packets to each Councilman.

8:10:55 Councilor Levine extended invitation to dinner on December 1, 2004, to fellow councilors during the Commissioners Conference.

8:11:57 Councilor Belden asked if January meeting could be moved? Councilor Levine moved to change January 5, 2005 meeting to January 12, 2005. Councilor McKinney

seconded motion. Councilor Levine amended motion to January 19, 2005. Councilor McKinney seconded motion. Motion carried (7-0).

SHERIFF COMMENTS: None

ATTORNEY COMMENTS 8:15:08

- Mr. Culp stated in order for him to adequately serve members of the Council, if the Council or a Council member finds there may be a legal issue on the agenda to bring it to his attention prior to the meeting so Mr. Culp can research the issue.
- Mr. Culp noted the January meeting date was changed by a motion duly made and seconded and was unanimously approved without first adding it to agenda so both procedures were followed. Councilor Levine stated it wasn't agreed to make that a permanent procedure.

AUDITOR'S COMMENTS 8:15:

- Auditor Mills announced we have received the updated Comprehensive Plan for Hamilton County Council on Alcohol and Other Drugs and the plan will be available to view in the Auditor's office.

8:17:10 Councilor Carter requested the President appoint a committee of three people to look into television contract, airing of meetings and report back to full council as soon as possible. Councilor Belden asked for volunteers and appointed Councilors Levine, Schwartz and McKinney to committee.

8:19:19 Councilor Wallace had to leave meeting.

8:19:21 Councilor Hiatt moved to adjourn meeting. Councilor Schwartz seconded motion. Motion carried (7-0).

Those present:

Gail King, Citizens for Better Neighborhoods
Leslie Davis, HSE Gov't Class
Auna Murphy, HSE Gov't Class
Polly Pearce, Court Adm

Frank Hamlin, HSE Gov't Class
BJ Casali, ISS
Jordan Kyle, HSE Gov't Class
Diana Lamirand, Ledger

President

Auditor